

Title 10**VEHICLES AND TRAFFIC*****Chapters:**

- 10.04 State Statutes Adopted**
- 10.08 Bicycles**
- 10.09 Motor Scooters**
- 10.10 Neighborhood Electric Vehicles**
- 10.12 Enforcement and Obedience to Traffic Control Signals**
- 10.16 Grand Avenue Bridge Restrictions**
- 10.20 Parking Meters and Lots**
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- 10.32 Railroads and Trains**
- 10.36 Snow Emergency Regulations**
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- 10.42 Abandoned Motor Vehicles**
- 10.44 Penalties for Traffic Violations**
- 10.48 Truck Traffic Regulations**

Chapter 10.04**STATE STATUTES ADOPTED****Sections:**

- 10.04.010 State traffic forfeiture laws adopted.**
- 10.04.020 Specific sections adopted.**
- 10.04.030 Snowmobiles--Obedience to traffic rules.**
- 10.04.050 Incorporation by reference.**
- 10.04.055 Traffic regulations--Annexed areas.**

10.04.010 State traffic forfeiture laws adopted. Except as otherwise specifically provided in the ordinance codified herein, all provisions of Chapters 110 and 340 through 350 of the Wisconsin Statutes describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. (Ord. 4594 §1, 1985; Ord. 3313 §1(part), 1972; prior code §17.01(1)(part)).

10.04.020 Specific sections adopted. Sections of Chapters 110 and 340 through 350 adopted by reference shall include but not be limited to the following:

* For regulations regarding certain streets, see speed, street and parking tables at the back of this code.

WORDS AND PHRASES

340.01 Words and Phrases Defined

REGISTRATION OF VEHICLES

341.11 (4) Display of Registration Plates
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341.63 When Registration is to be Suspended
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34205(4) Certificate of Title Required
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343.01 Words and Phrases Defined
343.305 Implied Consent
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343.60 to 343.72 Licensing of Driver Schools and Instructors
343.70 Penalty

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344.45 to 344.47 Penalties for Violation of Chapter
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CIVIL AND CRIMINAL LIABILITY

345.01 Words and Phrases Defined
345.20 to 345.53 General Provisions in Traffic Forfeiture Actions
345.55 Traffic Officers not to Profit from Arrests

RULES OF THE ROAD

346.01 Words and Phrases Defined
346.02 Applicability of Chapter
346.03 Applicability of Rules of the Road to Authorized Emergency Vehicles
346.04 (1) and (2), 346.05 to 346.16 Driving, Meeting, Overtaking and Passing
346.17 Penalty for Violating ss. 346.04 to 346.16
346.18 to 346.21 Right-of-way

346.22 Penalty for Violating ss. 346.18 to 346.21
 346.23 to 346.29 Drivers and Pedestrians
 346.30 Penalty for Violating ss. 346.23 to 346.29
 346.31 to 346.35 Turning and Stopping and Required Signals
 346.36 Penalty for Violating ss. 346.31 to 346.35
 346.37 to 346.42 Traffic Signs, Signals and Markings
 346.37 (1)(c)3 Right Turns at Signal Intersections
 346.43 Penalty for Violating ss. 346.37 to 346.42
 346.44 to 346.48 Required Stops
 346.49 Penalty for Violating ss. 346.44 to 346.48
 346.50 to 346.55 Restrictions on Stopping and Parking
 346.57 (2), (3) and (4)(a) to (c) Speed Restrictions - First Offense in a Year
 346.57 (4)(d), (5) and (6) to 346.595 Speed Restrictions
 346.60 Penalty for Violating ss. 346.57 to 346.595
 346.61 Applicability of Sections Relating to Reckless and Drunken Driving
 346.61(1) and (3) Reckless Driving - First Offense in 4 Years
 346.63 (1), (3) and (4) Operating Under Influence of Intoxicant - First Offense in 5 Years
 346.64 Employment of Drunk Operators - First Offense in a Year
 346.65 (1) and (2) Penalty for Violating ss. 346.62 to 346.64
 346.66 Applicability of Sections Relating to Accident and Accident Reporting
 346.68 and 346.69 Duty upon Striking Unattended Vehicle--Upon Striking Property on or
 Adjacent to Highway--First Offense Within a Year
 346.70 (1), (2) or (3), 346.71, 346.72, 346.73 Duty to Report Accident, Etc.
 346.70 (4) Police and Traffic Agencies to Report
 346.70 (5) Falsifying Reports - First Offense Within a Year
 346.77 to 346.805 Bicycles and Play Vehicles
 346.82 Penalty for Violating ss. 346.77 to 346.805
 346.87 to 346.94 Miscellaneous Rules
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VEHICLES--SIZE, WEIGHT AND LOAD

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SNOWMOBILES

- 350.01 Definitions
- 350.02 Operation of Snowmobiles on or in the Vicinity of a Highway
- 350.03 Right-of-way
- 350.04 Snowmobile Races, Derbies and Routes
- 350.045 Public Utility Exemption
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- 350.05 Operation by Youthful Operators Restricted
- 350.055 Safety Certification Program Established
- 350.06 Firearms and Bows
- 350.07 Driving Animals
- 350.08 Owner Permitting Operation
- 350.09 Head Lamps, Tail Lamps and Brakes
- 350.10 Miscellaneous Provisions for Snowmobile Operation
- 350.12 Registration of Snowmobiles
- 350.13 Uniform Trail Signs and Standards
- 350.15 Accident and Accident Reports
- 350.17 Enforcement
- 350.18 Local Ordinances
- 350.19 Liability of Land Owners

(Ord. 7398 §2, 2020; Ord. 6438 §3, 2003; Ord. 4594 §2, 1985; Ord. 3913 §1, 1978; Ord. 3313 §I(part), 1972; Prior code §17.01(1)(part)).

10.04.030 Snowmobiles--Obedience to traffic rules. The operator of a snowmobile upon a roadway shall in addition to the provisions of Chapter 350 be subject to Sections 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.91(1) and 346.94(1), (6), (6m) and (9). (Ord. 3313 §XX, 1972; Prior code §17.09(6)).

10.04.050 Incorporation by reference. A. The provisions of Chapters 110 and 340 through 348 of the Wisconsin Statutes shall be incorporated herein by reference, including all existing and future amendments made thereto, pursuant to authority granted by Section 349.06 (2) of the Wisconsin Statutes. The references to the provisions of Chapter 350 of the Wisconsin Statutes, incorporated herein by reference, shall mean the Wisconsin Statutes of 1975, as amended by the 1977 Legislature.

B. "Chapter" and "ordinance" as used herein are intended to be, and shall be, synonymous. (Ord. 4594 §3, 1985; Ord. 3878 §1, 1978; Ord. 3313 §XIX(part), 1972; prior code §§17.18 and 17.19).

10.04.055 Traffic regulations--Annexed areas. In any area that has been annexed to the city, including those areas annexed prior to the effective date of this section, all lawfully adopted and existing regulations of the town from which the area is annexed in effect as of the date of annexation are hereby adopted as city regulations to the extent that they have not been modified, superseded or repealed by the city. Said regulations shall continue in effect until the same are modified, superseded or repealed by the city. (Ord. 4668, 1986).

Chapter 10.08

BICYCLES

Sections:

- 10.08.010 Purpose.
- 10.08.020 Definitions.
- 10.08.090 Hours of operation--Age limit.
- 10.08.100 Parking.
- 10.08.110 Riding on sidewalks.
- 10.08.120 Designation of the bicycle way.

10.08.010 Purpose. The City strives to increase active living opportunities and provide healthy living options by encouraging bicycling for recreational and utilitarian use throughout the City while promoting a safe environment for pedestrians that contributes to the quality of life in Eau Claire, sustainability of the environment, and health of all residents. (Ord. 7205, 2016)

10.08.020 Definitions. A. "Bicycle way" as defined in Wisconsin Statutes s.340.01(5s) is any path or portion thereof designated for use of bicycles and electric personal assistive mobility devices by the governing body of any city, town, village, or county or any other path or portion thereof defined in Wisconsin Statutes 84.60 (1) as a bikeway. The bicycle ways in Eau Claire consist of the City's off-street pathways set forth in 10.08.120.

B. "Public sidewalk" is any sidewalk located within the public right-of-way. (Ord. 7205, 2016)

10.08.090 Hours of operation--Age limit. No person under the age of twelve years shall operate a bicycle upon any public street, highway, boulevard, sidewalk or alley between the hours of nine p.m. and five a.m. (Ord. 4471, 1984; Ord. 3313 §XXII (part), 1972; prior code §17.10(j)).

10.08.100 Parking. A. Bicycles shall only be parked on a street curbface to curbface in a designated bicycle corral or similar designated location.

B. No person shall park a bicycle against the curb, upon the sidewalk, upon the sidewalk in a rack to support the bicycle, or against a building or at the curb, in such a manner as to obstruct normal pedestrian or vehicular traffic.

C. Bicycles shall not be parked adjacent to any bus stop, loading zone, or any parking place for persons experiencing disabilities so as to interfere with the loading or unloading of persons or property.

D. Bicycles parked in violation of this or any other parking regulation may be removed from the unlawful parking position by the director of community services or the chief of police or that person's designee. (Ord. 7321 §2, 2019; Ord. 4471, 1984; Ord. 3313 §XXII (part), 1972; prior code §17.10(j)).

10.08.110 Riding on sidewalks or the bicycle way. Bicycle riding on public sidewalks is allowed, except as follows: In an effort to protect public safety and enhance walkability in certain areas, the City has identified four districts where riding a bicycle on the public sidewalk along certain streets is prohibited. No person shall ride a bicycle upon a public sidewalk located along the following streets within the following areas.

1. Central Business District Area North of the Eau Claire River: The streets including Galloway Street and Wisconsin Street located to the west of Dewey Street; Barstow Street, Farwell Street, and Hobart Street all south of Madison Street; Dewey Street from Galloway Street to Madison Street and the north side of the 300 Block of Madison Street.

2. Central Business District Area from the Eau Claire River to the south. The streets including Farwell Street and Barstow Street and Graham Avenue from the north side of the Eau Claire River to Lake Street and Eau Claire Street, Gibson Street, East Grand Avenue, Main Street, and Gray Street between the Chippewa River and Dewey Street.

3. Water Street District: Both sides of Water Street from Second Avenue to Sixth Avenue, except the south side of Water Street from Second Avenue to Third Avenue; and both sides of Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue, and Sixth Avenue from Water Street north to the first alley.

4. Madison Street--Bellinger Street District: Both sides of Bellinger Street between Cameron Street and Randall Street.

A. Signs. The chief of police, the chief of police's designee, the director of community services or the director or community services designee is authorized to cause signs to be erected on any sidewalk or roadway prohibiting riding bicycles thereon by any person and when such signs are in place, no person shall disobey the same.

B. Right-of-way. Whenever any person is riding a bicycle upon a sidewalk or the bicycle way, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. (Ord. 7205, 2016; Ord. 5736 §2, 1997; Ord. 4583, 1985; Ord. 3473, 1974; Ord. 3313 §XXII (part), 1972; prior code §17.10(k)).

10.08.120 Designation of the bicycle way. A. The bicycle way within the City shall be those off-street pathways that are identified in the map titled "City of Eau Claire Off-Street Multi-use Pathways/Bicycle Way System" that is adopted as part of this ordinance and on file with the City Clerk's Office. It shall include those pathways identified as existing and shall include those identified as proposed at such time that these sections are constructed.

B. All motorized vehicles except authorized city vehicles and vehicles permitted by Wisconsin Statutes s.340.01(5s) are prohibited from using any portion of the bicycle way.

C. The chief of police, the chief of police's designee, the director of community services or the director or community services designee is authorized to cause signs to be erected designating the bicycle way and prohibiting the use of motorized vehicles. No person shall disobey any such sign. (Ord. 7205, 2016; Ord. 7202, 2016; Ord. 5736 §3, 1997).

Chapter 10.09

MOTOR SCOOTERS

Sections:

10.09.010 Definition.

10.09.020 Operating motor scooters.

10.09.030 Right of way.

10.09.040 Special rules applicable to motor scooters.

10.09.050 Signs.

10.09.060 Parking.

10.09.070 Responsibility of parent or guardian.

10.09.010 Definition. A motor scooter shall be defined as a play vehicle under Wisconsin Statutes section 340.01 (43m). A motor scooter shall mean a play vehicle such as a coaster, skateboard, or unicycle that is equipped with an engine that cannot propel the device more than 15 miles per hour, has a T bar for steering, and a deck for standing or seat for sitting. A motor scooter under this section does not meet federal safety standards to be operated on the highway. A motor scooter shall not include a vehicle that can be legally registered by the state of Wisconsin and operated on the highway, or a device defined as an electric personal assistive mobility device under Wisconsin Statutes section 340.01(15pm). (Ord. 6438 §1, 2003).

10.09.020 Operating motor scooters. Operation of a motor scooter is permitted on a sidewalk, except that no person shall operate a motor scooter:

A. On a highway, pursuant to Wisconsin Statutes section 346.78, except as provided in section 9.76.055 of this code.

B. On a sidewalk in prohibited areas designated in section 10.08.110 of this code.

C. In any public parking ramp or parking lot, except as provided in section 9.76.055 of this code.

D. On private property, unless permission has been received from the owner, lessee, or person in charge of that property.

E. On any public step, railing, wall, or any appurtenance to a public way.

F. On a bicycle way as designated in section 10.08.120 of this code.

G. On the Grand Avenue Bridge as provided in chapter 10.16 of this code. (Ord. 6438 §1, 2003).

10.09.030 Right of way. Whenever a person rides a motor scooter upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall exercise due care and shall give an audible signal before overtaking or passing a bicycle, an electric personal assistive mobility device, or a pedestrian proceeding in the same direction. (Ord. 6438 §1, 2003).

10.09.040 Special rules applicable to motor scooters. Whenever a motor scooter is operated on a sidewalk, the following rules apply:

A. No motor scooter shall be used to carry or transport more persons at one time than the number for which it is designated.

B. No person operating a motor scooter shall carry any package, bundle, or article which prevents the operator from keeping at least one hand upon the handle bars.

C. No person operating a motor scooter shall attach himself or herself or the motor scooter to any other motor scooter, bicycle, or motor vehicle. (Ord. 6438 §1, 2003).

10.09.050 Signs. Signs authorized under city of Eau Claire ordinance section 10.08.110 A. prohibiting bicycles shall apply to motor scooters. (Ord. 6438 §1, 2003).

10.09.060 Parking. No person shall park a motor scooter in such a way as to obstruct normal vehicle or pedestrian traffic. (Ord. 6438 §1, 2003).

10.09.070 Responsibility of parent or guardian. Pursuant to Wisconsin Statutes section 346.77, no parent or guardian shall authorize or knowingly permit a child operating a motor scooter to violate any provisions of this chapter. (Ord. 6438 §1, 2003).

Chapter 10.10

NEIGHBORHOOD ELECTRIC VEHICLES

Sections:

10.10.010 Purpose.

10.10.020 Definitions.

10.10.030 Use permitted on city streets.

10.10.040 Permitted users.

10.10.050 Operation.

10.10.060 License.

10.10.070 Penalty.

10.10.010 Purpose. The city council finds that when operated according to state and local rules of the road, neighborhood electric vehicles are a reasonably safe form of transportation, compatible with other users of certain city streets with moderate speed limits. Therefore, by authority granted in s. 349.26, Wis. Stats., limited use of these vehicles is permitted as provided in this chapter. (Ord. 6776, 2007).

10.10.020 Definitions. A. "Neighborhood electric vehicle" (NEV) shall have the same meaning as provided in Wisconsin Statutes s. 340.01(36r).

B. Repealed by ord. 6815. (Ord. 6815 §1, 2008; Ord. 6776, 2007).

10.10.030 Use permitted on city streets. Any individual may operate an NEV on the streets and sections of streets lying entirely within of the city having a posted speed limit of 35 miles per hour or less. If vehicle specifications are less than 35 miles per hour, the applicant is required to place a slow moving vehicle sign on the vehicle. (Ord. 6776, 2007).

10.10.040 Permitted users. No person may operate an NEV on any street unless the person has a valid operator's license pursuant to Wisconsin Statutes s. 343.05. (Ord. 6815 §2, 2008; Ord. 6776, 2007).

10.10.050 Operation. The operation of an NEV as permitted herein shall comply in all respects with chapter 10 of the code of ordinances, as applicable to the operation of motor vehicles. (Ord. 6776, 2007).

10.10.060 License. An NEV shall be licensed by the state pursuant to Wisconsin Statutes s. 341.25. The license shall be displayed in the rear window of the NEV. If no rear window exists, the license shall be displayed in a clear plastic waterproof holder hung from the rear of the NEV top. (Ord. 6815 §3, 2008; Ord. 6776, 2007).

10.10.070 Penalty. Any person convicted of violating any of the provisions of this chapter shall forfeit not less than \$50 nor more than \$200, plus court and prosecution costs, and in default of such payment shall be imprisoned in the county jail until such forfeiture is paid, but not exceeding 90 days. (Ord. 6776, 2007).

Chapter 10.12

ENFORCEMENT AND OBEDIENCE TO TRAFFIC CONTROL SIGNALS

Sections:

- 10.12.010 Obedience to police.**
- 10.12.020 Special regulations.**
- 10.12.030 Public employees to obey traffic regulations.**
- 10.12.040 Erection of signs and signals.**
- 10.12.050 Removal of unofficial signs and signals.**
- 10.12.060 Removal of unlawfully parked vehicles.**

10.12.010 Obedience to police. It is unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a traffic officer. (Ord. 3313 §XXII(part), 1972; prior code §17.11(2)).

10.12.020 Special regulations. A. The director of engineering, the director of community services or the chief of police, or the designee of those persons, with the approval of the city manager, is authorized to, within the reasonable exercise of the police power, prohibit, make special regulations to limit the time of, or otherwise restrict the stopping, standing or parking of vehicles to the extent allowed by law.

B. Records and Notification. Such regulations shall be recorded in a record kept for that purpose by the department of engineering and the same shall be available during normal business hours for public inspection. The police department shall be notified of action taken by the director of engineering or the director of community services prior to the time the restriction becomes effective.

C. 1. The director of engineering, the director of community services or that person's designee may also temporarily waive parking restrictions on public streets. Reasons for such waiver may include: repair, remodeling or construction of buildings where parking immediately adjacent to the job site is required; parking lot construction or repair; loading or unloading of moving vans or trucks; or any other reason which in the judgment of the director of engineering, the director of community services or that person's designee would require such waiver. Traffic flow, parking availability, pedestrian traffic and other pertinent factors shall be taken into consideration before a decision is made to grant such waiver. No waiver shall exceed 3 months, and the police department shall be notified in advance of the duration and location of any such waiver by the department of engineering and department of community services.

2. A fee as stated in the City of Eau Claire Fees and Licenses Schedule shall be paid for each temporary parking waiver issued along with a daily charge as stated in the City of Eau Claire Fees and Licenses Schedule per parking stall, where applicable. (Ord. 7202, 2016; Ord. 6363 §31, 2002; Ord. 4753 §1, 2, 1987; Ord. 4645, 1986; Ord. 3727, 1977).

10.12.030 Public employees to obey traffic regulations. The provisions of this chapter shall apply to the operator of any vehicle owned by or used in the service of the United States government or of this state or any political subdivision thereof, and it shall be unlawful for any said operator to violate any of the provisions of this chapter except as otherwise provided. (Ord. 3313 §XXII(part), 1972; prior code §17.11(4)).

10.12.040 Erection of signs and signals. The traffic engineer is authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the state highway division giving such notice of the provisions of this title and Tables I through IX as required by state law. Signs shall be erected in such locations and manner as the traffic engineer determines will best effect the purposes of this title and give adequate warning to users of the street or highway. (Ord. 3313 §XXV(part), 1972; Prior code §17.16(1)).

10.12.050 Removal of unofficial signs and signals. The traffic engineer shall have the authority granted by Section 349.09, Wisconsin Statutes, and is directed to order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or Section 346.41, Wisconsin Statutes. Any charge imposed on a premises for removal of such an illegal sign, signal or device shall be reported to the city council at its next regular meeting for review and certification. (Ord. 3313 §XXV(part), 1972; Prior code §17.16(2)).

10.12.060 Removal of unlawfully parked vehicles. A. Whenever any traffic officer or other authorized employee of the city finds a vehicle standing upon a highway in violation of a prohibition, limitation or restriction on stopping, standing or parking imposed under Chapters 342, 346 and 349 of the Wisconsin Statutes, any section of this title, or in the TABLES of the code of ordinances, said person is authorized to have that vehicle removed. Such removal may be to a position where parking is permitted or lawful or to either private or public parking or storage premises. The operator or owner of the vehicle removed shall pay the reasonable charges for moving, towing and any storage required.

B. Repealed by ord. 6843. (Ord. 6843, 2008; Ord. 4549, 1985; Ord. 4431, 1984).

Chapter 10.16

GRAND AVENUE BRIDGE RESTRICTIONS

Sections:

10.16.010 Motorized vehicles prohibited.

10.16.010 Motorized vehicles prohibited. No person shall operate any motor vehicle, motorcycle, moped, motor bicycle or power-driven cycle upon or over the Grand Avenue Bridge over the Chippewa River, except for motorized equipment utilized by persons with disabilities, and except for officially authorized emergency or maintenance vehicles and equipment. (Ord 7350 §2, 2019; Ord. 4093, 1980).

Chapter 10.20

PARKING METERS AND LOTS

Sections:

- 10.20.010 Meter spaces--Coin deposits--Time signals.**
- 10.20.020 Meter use times.**
- 10.20.030 Coin substitutes prohibited.**
- 10.20.040 Meters--Disturbing unlawful.**
- 10.20.050 Meters--Moneys collected--Use.**
- 10.20.060 Construction of provisions.**
- 10.20.070 Parking overtime prohibited.**
- 10.20.080 Meters--Parking lots, ramps and streets.**
- 10.20.090 Continued violation.**
- 10.20.095 Waiver.**
- 10.20.100 Unmetered parking lots and parking ramps.**
- 10.20.110 Penalty--Improper parking--Monthly parkers.**

10.20.010 Meter spaces--Coin deposits--Time signals. A. The city manager, under direction and authority of the city council shall cause to be placed parking lines or marks on the curb or on the street about or alongside each parking meter space to designate the space covered by the parking meter and to be used for meter parking and each vehicle shall park within such parking space.

B. It is unlawful and a violation of this chapter to park any vehicle across any line or marking established as above provided or to place a vehicle in such a way that it will not be plainly within the area designated by the lines.

C. The city manager shall, under the authority and direction of the city council, locate and designate parking meter zones and parking spaces therein and regulate and control the parking space and use of the parking meter.

D. Each parking meter shall be so set as to display a signal showing authorized parking time in the parking space upon the deposit in said meter of a United States coin(s) by the operator.

E. Additional coins may be inserted by the operator in order to pay for the maximum time available on each given meter. However, parking periods may not be extended beyond the maximum time provided by each given meter, by inserting additional coin after time has elapsed on that meter. The parked vehicle shall be removed promptly from its parking location upon the expiration of the maximum time provided on each meter.

F. The operator of a vehicle, upon entering a parking space shall immediately deposit the required coin or coins in the meter for the time and space required and shall immediately upon the deposit of each coin turn the handle of such meter as far to the right as possible, releasing the handle and allowing the same to return to rest, and such space may then be used by such operator for parking limit time fixed by this chapter.

G. Each parking meter shall have a device to operate and continue in operation from the time of deposit of coin or coins therein until the expiration of parking time.

H. Each meter shall also be so arranged that upon the expiration of the parking time under the deposit therefor, it will indicate and display by appropriate signal that the lawful parking period covered by the coin or coins deposited has expired.

I. If any vehicle remains parked in any meter parking space beyond the parking limit fixed by this chapter therefor, the meter shall display a sign or signal showing illegal parking and in that event such vehicle shall be deemed parked overtime, and such overtime parking shall be a violation of this chapter. (Ord. 4235 §§1, 2, 1981; Ord. 3376 §I, 1973; Ord. 3313 §XVIII(part), 1972; prior code §17.07(12)(b)).

10.20.020 Meter use times. A. Meter parking time provisions hereunder shall be and extend from six a.m. to six p.m., except as otherwise provided in this chapter.

B. No charge for parking in parking meter spaces shall be made for vehicles parked in spaces on holidays. (Ord. 7167 §1, 2015; Ord. 4235 §3, 1981; Ord. 3313 §XVIII(part), 1972; prior code §17.07(12)(c)).

10.20.030 Coin substitutes prohibited. It is unlawful and a violation of this chapter for any person to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for a coin of the United States. (Ord. 3376 §II, 1973; Ord. 3313 §XVIII(part), 1972; prior code §17.07(12)(d)).

10.20.040 Meters--Disturbing unlawful. It is unlawful and a violation of this chapter for any person to deface, injure, tamper with, open, break, destroy or impair the usefulness of any parking meter installed under the provisions of this chapter. (Ord. 3313 §XVIII(part), 1972; prior code §17.07(12)(e)).

10.20.050 Meters--Moneys collected--Use. Moneys collected from parking meters on the streets and highways and public places in the city may be used for any of the purposes enumerated in Section 349.14 of the Wisconsin Statutes for 1965. (Ord. 3313 §XVIII(part), 1972; prior code §17.07(12) (f)).

10.20.060 Construction of provisions. Except as expressly provided herein, the provisions of this chapter shall not be construed as modifying, impairing or repealing any existing ordinance provisions in the city relating to the use of streets, avenues or areas of the city, or traffic thereon. (Ord. 3313 §XVIII(part), 1972; prior code §17.07(12) (g)).

10.20.070 Parking overtime prohibited. It is unlawful to park any vehicle in a zone marked for time limit parking for a period of time in excess of the prescribed time limit. (Ord. 3313 §XVIII(part), 1972; prior code §17.07(12)(h)).

10.20.080 Meters--Parking lots, ramps and streets. A. The parking lots owned or leased by the city are both metered and unmetered parking zones and for enforcement purposes, are placed under the jurisdiction of the police department or the police department's designee.

B. It is unlawful for any person to place any object upon the municipal parking ramp or parking lots for storage except motor vehicles and except in compliance with the terms and conditions of this title and upon the payment of a fee in the manner provided herein.

C. All pertinent sections of the ordinance codified herein, including penalty provisions, shall apply to the municipal parking ramp and parking lots and the operation thereof.

D. The city manager shall, under the authority and direction of the city council, direct the installation of the parking meters upon the municipal parking lots and shall determine the charge to be made therefor, with or without parking meters, and shall make such other regulations in relation thereto as from time to time shall be necessary. The terms and conditions of such parking shall be publicly displayed upon the premises or upon the parking meters indicating the charge and periods therefor. In the upper level of the Riverside Parking Deck, the city manager, or designee, shall, based on changing parking demands, direct the replacement of individual parking meters with signs that indicate reserved parking. Permits for the reserved spaces shall be sold at rates indicated in section 10.20.100 A. Any parking meter may be reinstalled if the city manager determines that parking demands have changed.

No person shall park a vehicle within the municipal parking ramp or such parking lots without complying with the terms and conditions of such parking or without paying the applicable charge therefor.

E. 1. The parking charges and periods for the Farwell Street Lot, Hobart-Wisconsin Lot, Railroad Street Lot, Riverview Parking Lot, Seaver Street Lot, Water Street Lot, Transfer Center Parking Lot, Riverside Parking Deck, and all other on-street meters shall be as stated in the City of Eau Claire Fees and Licenses Schedule.

F. In the off-street parking lots referred to in subsection E. 1. of this section, the charge for monthly parking shall be as stated in the City of Eau Claire Fees and Licenses Schedule in lieu of the payment of the hourly rate established under subsection E. 1. of this section for the following areas: At spaces metered for ten hours or more, or at spaces metered for less than ten hours if these areas are specifically signed as allowing the use of the permit.

G. The transportation engineer or designee may issue parking permits for the use of a city lot to the sponsor of an event. The permits shall be valid for the anticipated time of such event. The charge for the permit shall be as stated in the City of Eau Claire Fees and Licenses Schedule. The sponsor shall date the permit for use on a specific day of such event. Attendees at such event may use such permit for parking in such lot without the payment of a further fee or charge. (Ord. 7359, 2020; Ord. 7241 §1, 2017; Ord. 7167 §2, 2015; Ord. 6363 §32, 2002; Ord. 5908 §1, 1998; Ord. 5883 §1, 1998; Ord. 5335 §§ 1, 2, 1993; Ord. 5288 §1, 1992; Ord. 5278 §1, 1992; Ord. 5267, 1992; Ord. 5134, 1991; Ord. 5112, §§1, 2, 1991; Ord. 5110 §1, 1990; Ord. 4958, 1989; Ord. 4899 §§1, 2, 1989; Ord. 4886 §1, 1989; Ord. 4789 §16, 1987; Ord. 4780 §1, 1987; Ord. 4683 §1, 1986; Ord. 4550 §1, 1985; Ord. 4513 §§1, 2, 1984; Ord. 4470 §§1, 4, 1984; Ord. 4454 §2, 1984; Ord. 4451 §§1, 2, 1984; Ord. 4235 §§4, 5, 1981; Ord. 4104, 1980; Ord. 4091 §§1, 2, 1980; Ord. 3978, 1979; Ord. 3657, 1976; Ord. 3550 (part), 1975; Ord. 3511 §1, 1975; Ord. 3376 §III, 1973; Ord. 3313 §XVIII (part), 1972; Ord. 3283 §II, 1972; prior code §17.07 (12)(i)).

10.20.090 Continued violation. In addition to an initial violation of this chapter, each period of time which is equal to and in excess of the prescribed parking meter time limit, or two hours, whichever is less, during which a vehicle remains in violation shall constitute a separate violation of this provision. (Ord. 4118, 1980; Ord. 3313 §XVIII(part), 1972; Ord. 3234 §I, 1971; prior code §17.07(12) (j)).

10.20.095 Waiver. The city manager, or designee, may waive, for a limited period of time, the parking fee or charge and the time limit provided for within any municipal parking lot or ramp, if the city manager or designee reasonably determines that the public benefit resulting from such a waiver exceeds the gain which would otherwise be derived from the imposition of such fee or charge or enforcement of such time limit. The city manager or designee shall file with the city clerk written findings upon which any such determination is based. (Ord. 5259, 1992).

10.20.100 Unmetered parking lots and parking ramps. The following unmetered parking lots and parking ramps are established with parking hours, rates and times as stated in the City of Eau Claire Fees and Licenses Schedule: Barstow Street Lot, Chippewa Street Lot, Forest Street Lot, Municipal Parking Ramp, Riverside Parking Deck, Riverview Parking Lot, Schlegelmilch-McDaniel Lot, Seaver Street Lot, Starr Avenue/Birch Street Lot and L.E. Phillips Memorial Public Library. (Ord. 7359 §3, 2020; Ord. 6901, 2009; Ord. 6363 §32, 2002; Ord. 6005, 1999; Ord. 5914, 1999; Ord. 5883 §2, 1998; Ord. 5555, 1995; Ord. 5335 §§ 3, 4, 5, 6, 1993; Ord. 5141, 1991; Ord. 5112 §3, 1991; Ord. 5110 §2, 1990; Ord. 4975, 1989; Ord. 4886 §§2, 3, 4, 1989; Ord. 4852, 1988; Ord. 4789 §16, 1987; Ord. 4683 §§1, 2, 1986; Ord. 4550 §2, 1985; Ord. 4513 §3, 1984; Ord. 4454 §1, 1984; Ord. 4451 §3, 1984; Ord. 4091 §3, 1980; Ord. 4012 §§1--5, 1979; Ord. 3945, 1978; Ord. 3576 (part), 1975; Ord. 3511 §2, 1975; Ord. 3376 §IV, 1973; prior code §17.07(12)(k)).

10.20.110 Penalty--Improper parking--Monthly parkers. The forfeiture for violation of the provisions of Section 10.20.100 as it pertains to parking in undesignated areas shall be equal to the rate for hourly parking for nine to twelve hours, as stated in the City of Eau Claire Fees and Licenses Schedule. (Ord. 6363 §32, 2002; Ord. 4012 §6, 1979).

Chapter 10.24

SPECIAL PARKING RESTRICTIONS

Sections:

10.24.010 Parking prohibited in specific places.

10.24.015 Heavy vehicle parking.

10.24.020 Physically disabled persons--Parking.

10.24.025 Third ward/university parking.

10.24.010 Parking prohibited in specific places. It is unlawful for the operator of a vehicle to park such vehicle in any of the following places except to comply with the directions of a traffic officer or traffic control signal or sign:

A. Catherine Street Parking. Parking is prohibited on the south side of Catherine Street from First Avenue to Second Avenue.

B. Dewey Street Bridge Parking. No trucks weighing in excess of three tons loaded, buses or vans shall be parked or left standing at any time on the Dewey Street Bridge crossing the Eau Claire River.

C. Elizabeth Street Parking. Parking is prohibited on the south side of Elizabeth Street from First Avenue to Second Avenue.

D. Grand Avenue Parking. Fifteen minutes of courtesy parking shall be permitted on East Grand Avenue between Barstow Street and Graham Avenue, between the hours of six a.m. to nine p.m., but the operator of a vehicle shall not park, stop or leave standing such vehicle for longer than fifteen consecutive minutes between the hours of six a.m. to nine p.m. on East Grand Avenue between Barstow Street and Graham Avenue. Signs shall be erected and maintained designating the application of this section.

E. Barstow Street Parking. Barstow Street, east side, between Railroad Street and Galloway Street, no person shall park any vehicle between the hours of seven a.m. and nine a.m. and between the hours of three p.m. and six p.m., except Saturday and Sunday, and no person shall park a vehicle for longer than one hour between the hours of nine a.m. and three p.m. thereon, except Saturday and Sunday.

F. City Hall Lot. No person shall park a vehicle for longer than thirty minutes between the hours of eight a.m. and five p.m. in the City Hall parking lot, north end (visitor parking area).

G. Parking is prohibited upon any boulevard area. In this subsection, "boulevard area" means that part of the street right-of-way lying between the property line and that portion of the street which is open for use for general vehicular travel by the public as a matter of right.

H. Second Avenue, west side, from 30 feet south of Grand Avenue to 150 feet south of Grand Avenue, designated for "law enforcement vehicles only."

I. Parking Adjacent to Bus Stops. No person shall stop or park a vehicle, other than a City of Eau Claire bus, within fifty (50) feet of a duly designated bus stop, except for emergency safety reasons.

J. Parking in Lane of Travel or Sidewalk. No person shall stop or park a vehicle within a lane of traffic, within a designated bicycle lane, or on a trail or sidewalk except to comply with traffic laws or for other emergency safety reasons. (Ord. 7175, 2016; Ord. 6656, 2006; Ord. 6200, 2001; Ord. 4499, §1 1984; Ord. 4208, 1981; Ord. 4158, 1981; Ord. 4114 §1, 1980; Ord. 3912 §1, 1982; Ord. 3447, 1974; Ord. 3340 §I, 1973; Ord. 3313 §X, 1972; Ord. 3292 §I, 1972; Ord. 3235 §II, 1971; prior code §17.07(2)).

10.24.015 Heavy vehicle parking. A. Purpose. The regulations and restrictions established in this section have been made in accordance with the policy to preserve and maintain the integrity of residential zones by:

1. Limiting traffic congestion and noise.
2. Preserving aesthetic harmony.
3. Limiting deterioration of streets.
4. Ensuring the safety and peace and quiet of its residents.

B. In this subsection:

1. "Heavy vehicle" means any vehicle or combination of vehicles designed or used for transporting persons or property of any nature for commercial, industrial or agricultural purposes and having a gross weight of more than six thousand pounds.

2. No person shall park any heavy vehicle at any place in any residential zone, as determined under Title 18, the zoning code, except for such time as is reasonably necessary to facilitate the loading or unloading of such vehicle. (Ord. 4499, §2, 1984).

10.24.020 Physically disabled persons--Parking. A. In this section, "motor vehicle used by a physically disabled person" has the same meaning as contained in s. 346.503(1), Wis. Stats., including all existing and future amendments thereto.

B. Parking upon the following streets or portions of streets shall be prohibited at all times except for a motor vehicle used by a physically disabled person.

1. Ball Street, south side, from 250 feet east of Spring Street to a point 300 feet east of Spring Street;
2. Emery Street, north side, from 50 feet east of Barstow Street to 100 feet east of Barstow Street;
3. Dewey Street, west side, from 110 feet south of Grand Avenue to 150 feet south of Grand Avenue;
4. Eau Claire Street, north side, from 100 feet east of Farwell Street to 150 feet east of Farwell Street;
5. Grand Avenue, south side, from Graham Avenue to 50 feet east of Graham Avenue;
6. Main Street, north side, from 35 feet west of Barstow Street to 60 feet west of Barstow Street;
7. Wisconsin Street, north side, from 70 feet west of Farwell Street to 95 feet west of Farwell Street;
8. Gibson Street, south side, from 35 feet west of Graham Avenue to 60 feet west of Graham Avenue;
9. Broadway Street, north side, from 105 feet west of Third Avenue to 155 feet west of Third Avenue;
10. Second Avenue, west side, from 80 feet north of Grand Avenue to 140 feet north of Grand Avenue;

11. Third Avenue, west side, from 35 feet north of Broadway Street to 85 feet north of Broadway Street.
12. Barstow Street, west side, from 50 feet north of Main Street to 75 feet north of Main Street;
13. Niagara Street, north side, from 55 feet west of Fourth Avenue to 105 feet west of Fourth Avenue;
14. Agnes Street, west side, from 95 feet south of Sherwin Avenue to 150 feet south of Sherwin Avenue;
15. Oxford Avenue, east side, from 110 feet north of Lake Street to 215 feet north of Lake Street;
16. Eau Claire Street, south side, from 75 feet west of South Barstow Street to 50 feet west of South Barstow Street.
17. Wisconsin Street, south side, from 85 feet west of North Farwell Street to 75 feet west of North Farwell Street.
18. Fulton Street, north side, from 160 feet east of 5th Avenue to 210 feet east of 5th Avenue.

C. The method of allocation of parking stalls reserved for a motor vehicle used by a physically disabled person as provided by s. 346.503(1m)(a), Wis. Stats., including all existing and future amendments thereto, shall apply to all publicly owned parking lots and parking ramps for the exclusive use of the general public. The transportation engineer shall designate parking stalls in such parking lots and parking ramps in accordance with such statutory provision.

D. Parking on the following streets or portions of streets shall be restricted as designated for the purpose of accommodating physically disabled persons or persons with special medical needs:

1. Birney Street, west side, from Brackett Avenue to 75 feet north of Brackett Avenue -- Loading Zone-No Parking 6:00 a.m. to 4:00 p.m., Monday through Friday.
2. Sixth Avenue, west side, from Fulton Street to 75 feet south of Fulton Street -- Loading Zone-No Parking. (Ord. 7241 §2, 2017; Ord. 6516, 2004; Ord. 6372, 2003; Ord. 6173, 2001; Ord. 6095, 2000; Ord. 5997, 1999; Ord. 5629, 1996; Ord. 5459 §1, 1994; Ord. 5382, 1994; Ord. 5374, 1993; Ord. 5369 §1, 1993; Ord. 5236, 1992; Ord. 5228, 1992; Ord. 4653 §1, 1986; Ord. 4572, 1985; Ord. 4566 §1, 1985; Ord. 4522 §1, 1985; Ord. 4164 §1, 1981; Ord. 4157 §1, 1981; Ord. 4128 §3, 1980; Ord. 4114 §2, 1980; Ord. 4016 §3, 1979; Ord. 3929, 1978; Ord. 3914 §1, 1978; Ord. 3870 §5, 1978; Ord. 3796, 1977).

10.24.025 Third ward/university parking. A. No person shall park any vehicle at any time in any of the following places within the third ward/university parking district:

1. Within 20 feet of a fire hydrant.
2. Within 8 feet of an entrance to a private road or driveway.

B. "Third ward/university parking district" shall include those public streets within an area bounded by and including Gilbert Avenue from Thorpe Commons to South Farwell, South Farwell Street to Summit Avenue, Summit Avenue to Rust Street, Rust Street southerly to Putnam Drive, Putnam Drive westerly to Park Avenue, and Park Avenue north to Summit Avenue.

C. Locations in which parking is prohibited by this code section shall be designated by official traffic signs. (Ord. 7241 §3, 2017; Ord. 6653, 2006).

Chapter 10.30

RIGHT TURNS PROHIBITED AT SIGNALIZED INTERSECTIONS

Sections:

10.30.010 Right turns prohibited.

10.30.010 Right turns prohibited. Vehicular traffic facing a red signal is prohibited from making a right turn at the following signalized intersections and the traffic engineer is authorized and directed to post an appropriate sign or signs at such intersections advising motorists thereof:

- Farwell Street and Madison Street, when entering from the north on Farwell Street;
- Keith Street and Brackett Avenue when entering from the north and south on Keith Street
- Main Street and Farwell Street, when entering from the east on Main Street. (Ord. 7197, 2016; Ord. 3992, 1979; Ord. 3913 §2, 1978).

Chapter 10.32

RAILROADS AND TRAINS

Sections:

- 10.32.010 Obstructing street crossings--Standing.**
- 10.32.020 Obstructing street crossings--Operating.**
- 10.32.030 Obstructing intersections--Passenger discharge.**
- 10.32.040 Obstructing street crossings--More than one train.**
- 10.32.050 Obstructing street crossings--Violation, penalty.**
- 10.32.060 Flagman at crossing.**
- 10.32.070 Unlawful switches.**
- 10.32.080 Violation--Section 10.32.070.**

10.32.010 Obstructing street crossings--Standing. It is unlawful to stop and leave standing any railroad train, locomotive or car upon or across any street crossing in the city longer than ten minutes. (Ord. 3089 §1(1), 1969).

10.32.020 Obstructing street crossings--Operating. It is unlawful to operate or permit to be operated any railway train, locomotive or car upon or across any street crossing in the city to the obstruction of public travel thereon for a longer period of time than ten minutes. (Ord. 3089 §1(2), 1969).

10.32.030 Obstructing intersections--Passenger discharge. It is unlawful to stop any railroad train or car within an intersection or on a crosswalk in the city for the purpose of receiving or discharging passengers. (Ord. 3089 §1(3), 1969).

10.32.040 Obstructing street crossings--More than one train. It is unlawful to obstruct any street crossing in the city for a continuous period of more than ten minutes by the operation of more than one train or locomotive over the same crossing. (Ord. 3089 §1(4), 1969).

10.32.050 Obstructing street crossings--Violation, penalty. Any conductor, engineer or brakeman on any engine or train so stopping, operating on, or discharging passengers on any crossing or crosswalk in violation of this chapter shall be subject to a fine of not less than ten dollars nor more than one hundred dollars, and the corporation owning or operating any such train, engine or car shall be subject to a fine of not less than twenty-five dollars nor more than two hundred dollars for each offense. (Ord. 3089 §1(t), 1969).

10.32.060 Flagman at crossing. The railway company owning and maintaining the railway track at the intersection of Fifth Avenue, Chestnut and Mappa Streets in the city, and operating trains thereon by means of steam power is required, ordered and directed to provide and keep a flagman at said place of crossing said streets with its locomotives, cars and railway trains at its own expense. (Prior code §23.03).

10.32.070 Unlawful switches. It is unlawful for any railway conductor, engineer or other railway employee or employees, having in charge or operating a train of cars, or running or operating a switch engine or other engine or locomotive used for hauling or propelling cars or trains to make any running, or flying switches or kicking cars across that part of North Barstow Street within the city where the main track of the Chicago, Milwaukee & St. Paul Railway Company crosses the same. (Prior code §23.04).

10.32.080 Violation--Section 10.32.070. Any person who violates Section 10.32.070 shall, upon conviction thereof, pay a fine of not less than five dollars nor more than twenty-five dollars, for each offense, together with the costs of prosecution. On default in payment of such fine and costs the person so convicted shall be confined in the county jail not to exceed thirty days unless such fine and costs are sooner paid. (Prior code §23.05).

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Chapter 10.36**SNOW EMERGENCY REGULATIONS****Sections:****10.36.010 Declaration of emergency.****10.36.020 Vehicles prohibited--Emergency termination.****10.36.030 Vehicles stopped illegally.****10.36.040 Vehicles stopped--Removal.****10.36.050 Penalty for violation.**

10.36.010 Declaration of emergency. Whenever in the opinion of the director of community services or that person's designee an emergency exists in the city or in a section or sections thereof because of snow, freezing rain, sleet, ice, snow drifts or other natural phenomena which would create or will likely create hazardous road conditions impeding or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic or otherwise endanger the safety or welfare of the community, such official may declare an emergency to exist for a period of seventy-two hours. Notice of such emergency shall be given by press, radio or television, which news media shall be requested to cooperate with city officials and when given, such notice shall constitute due and proper notice. When in the opinion of such official such emergency conditions do exist for a period in excess of the aforesaid emergency period, he is authorized to declare successive emergency periods. At least two hours must elapse after the first publication by press, or radio, or television before the penalty provisions herein shall become operative. (Ord. 7202, 2016; Ord. 4605 §1, 1985; Ord. 4139, 1980; Prior code §17.14(1)).

10.36.020 Vehicles prohibited--Emergency termination. During the period of time between a declaration of emergency by any such official and the end of such emergency, the vehicles shall not be left stopped, parked, abandoned or otherwise unattended on an arterial street or bus route in the city on which a "snow emergency route" sign is evident. The emergency may be terminated by declaration of such official similarly publicized and shall be deemed terminated as to any particular street involved as soon as snow has been plowed from the entire width of any such street and it has stopped snowing following declaration of an emergency because of snow conditions. Parking may be resumed on individual streets as soon as snow plowing has been completed on the full width of such street. (Ord. 4605 §2, 1985; Prior code §17.14(2)).

10.36.030 Vehicles stopped illegally. Any vehicle stopped, parked, abandoned or otherwise left unattended in violation of Section 10.36.020 is declared to be an obstruction to the public streets and a violation of this chapter. (Prior code §17.14(3)).

10.36.040 Vehicles stopped--Removal. In the event any vehicle is stopped, parked, abandoned or left unattended in violation of Section 10.36.020, the director of engineering or the director of community services, the city engineer, or the chief of police, including also all the employees of the engineering division, the streets division, and the police department of the city, are authorized to remove or cause to be removed any such vehicle and to have such vehicle towed away. (Ord. 7202, 2016; Prior code §17.14(4)).

10.36.050 Penalty for violation. Any person who violates any of the provisions of Section 10.36.020 shall upon conviction thereof, forfeit not less than five dollars nor more than one hundred dollars plus the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail of Eau Claire County until such costs and forfeiture are paid, but not exceeding ninety days. In addition, any costs or expenses incurred in connection with the towing away or storing of such vehicle, if this has been done, shall be added to the forfeiture. (Prior code §17.14(5)).

Chapter 10.38

ALTERNATE SIDE PARKING

Sections:

10.38.010 General provisions.

10.38.020 Vehicles stopped illegally.

10.38.030 Vehicles stopped--Removal.

10.38.040 Penalty.

10.38.010 General provisions. Between November 1 and May 1 inclusive, alternate side parking regulations shall be in effect on all streets in the City of Eau Claire. Such regulations shall apply as follows:

A. On odd-numbered days, vehicles shall only be parked, stopped or left standing on that side of the street having odd-numbered addresses.

B. On even-numbered days, vehicles shall only be parked, stopped or left standing on that side of the street having even-numbered addresses.

C. The provisions of this section shall only be in effect between midnight and 7:00 a.m.

D. The provisions of this section shall not supersede more restrictive parking regulations in effect in the City, including without limitation, the declaration of a snow emergency under Chapter 10.36.

E. Alternate side parking regulations may be:

1. Delayed until after November 1, until alternate side parking is declared necessary by the Director of Community Services or her or his designee.

2. Suspended prior to May 1, after all streets have been swept at least once, upon declaration of the Director of Community Services or her or his designee. (Ord. 7336, 2019; Ord. 7202, 2016; Ord. 7166 §1, 2015; Ord. 7159, 2015; Ord. 6920, 2010; Ord. 4597 §1, 1985; Ord. 4529, 1984; Ord. 4523 §1 §2, 1984; Ord. 4434 §1, 1984).

10.38.020 Vehicles stopped illegally. Any vehicle stopped, parked, abandoned or otherwise left unattended in violation of Section 10.38.010 is declared to be an obstruction to the public streets and a violation of this chapter. (Ord. 7159, 2015)

10.38.030 Vehicles stopped--Removal. In the event any vehicle is stopped, parked, abandoned or left unattended in violation of Section 10.38.020, the director of engineering or the director of community services, the city engineer, or the chief of police, including also all the employees of the department of engineering, the streets division and the police department of the city, are authorized to remove or cause to be removed any such vehicle and to have such vehicle towed away. (Ord. 7202, 2016; Ord. 7159, 2015)

10.38.040 Penalty. Any person who violates any of the provisions of this chapter shall, upon conviction thereof, forfeit not less than \$5.00 nor more than \$100.00 plus the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution, shall be imprisoned in the county jail of Eau Claire County until such costs and forfeiture are paid, but not exceeding 5 days. In addition, any costs or expenses incurred in connection with the towing or storing of a vehicle in violation of this chapter shall be added to the forfeiture. (Ord. 4597 §3, 1985).

Chapter 10.40

MISCELLANEOUS REGULATIONS

Sections:

10.40.010 Leaving automobile unattended.

10.40.020 Leaving keys in vehicles.

10.40.030 Vehicle storage on street.

10.40.040 Alley use regulations.

10.40.050 School police.

10.40.055 Regulations on public school property.

- 10.40.070 University of Wisconsin System grounds.**
- 10.40.080 Transportation of tractors.**
- 10.40.090 Special and seasonal weight limitations.**
- 10.40.100 Accident reports.**
- 10.40.110 Enforcement.**
- 10.40.120 Uniform citation.**
- 10.40.130 Parking citations.**
- 10.40.135 Parking citations--Who may issue.**
- 10.40.140 Officers accepting bonds--Procedure.**
- 10.40.150 Officers accepting bonds--Delivery to treasurer.**
- 10.40.160 Regulation of off-road motor-driven cycles, all-terrain vehicles and snowmobiles.**
- 10.40.170 Exhibition driving.**
- 10.40.180 Bus transfer station.**

10.40.010 Leaving automobiles unattended. No person shall leave an automobile unattended on any street, parking lot, public ground or alley while the motor is running. (Ord. 3313 §XV, 1972; prior code §17.07(11)(c)).

10.40.020 Leaving keys in vehicles. A. No person shall permit a motor vehicle in his custody to stand or remain unattended upon any street, alley or public place in the city without first stopping the engine, locking the ignition, removing the key and taking it with him. (Ord. 5000, 1989; Ord. 3313 §XV, 1972; prior code §17.07(11)(d)).

10.40.030 Vehicle storage on street. A. Twenty-four Hour Storage. It is unlawful for any person to leave or park any vehicle at any one place upon any street or alley for a period of more than twenty-four consecutive hours. Each consecutive twenty-four hour period during which such vehicle is not moved at least seventy-five feet shall constitute a separate offense. (Ord. 4534 §2, 1984; Ord. 3313 §XIV, 1972; Prior code §17.07(11)(a),(b)).

10.40.040 Alley use regulations. A. One-way Traffic. The alleys running north and south between South Farwell Street and Barstow Street from Jones Street to Eau Claire Street shall be open to vehicular traffic moving only in a northerly direction.

B. Signs. Appropriate directing signs shall be erected and maintained at the entrance of such alleys at each block, and at the north exit of such alleys at each block and at the east exit of the said alley in Block 59.

C. Alleys are not to be used as thoroughfares.

1. Statement of Policy. An alley is considered as a secondary means of access to its abutting property, and to use the same as a thoroughfare interferes with such use, increases traffic congestion and is hazardous to the public.

2. It is unlawful for any person to operate any vehicle in or upon any alley in the city for the purpose of using the same as a thoroughfare and having no intention or occasion to stop therein for business or other lawful reasons.

D. No person shall park, stop or leave standing any vehicle, whether attended or unattended, upon the right-of-way of an alley in any residential district except temporarily for the purpose of, and while actually engaging in, loading or unloading or in receiving or discharging passengers, and while the vehicle is attended by a licensed operator so that it may be promptly moved in case of an emergency or to avoid obstruction of traffic. (Ord. 4421, 1984; Ord. 3324 §I, 1972; Ord. 3313 §XXII(part), 1972; prior code §17.08).

10.40.050 School police. A. Appointment and Authority. The chief of police shall appoint special policemen who shall be designated as school police, and shall serve without compensation. The school police shall be appointed from the student bodies of public and private schools of the city. The school police shall be equipped with badges marked "School Police" and are authorized to regulate traffic of all kinds upon the streets of the city within school zones and other designated areas and during school hours. The school police shall be subordinate to and shall obey all orders of any police officer of the city.

B. Stopping by School Police. No driver of any vehicle shall fail to stop his vehicle when directed to do so by any school police officer or adult school crossing guard, and no driver of any vehicle shall again place such vehicle in motion until directed to do so by such school police officer or adult school crossing guard.

C. Within the city of Eau Claire, in accordance with Section 349.215, Wisconsin Statutes, adult school crossing guards for the protection of persons who are crossing a highway in the vicinity of a school shall be appointed by the Eau Claire area school district or by the private school which they serve. (Ord. 5264, 1992; Ord. 5029, 1990; Ord. 4205, 1981; Ord. 3313 §XXII(part), 1972; prior code §17.09).

10.40.055 Regulations on public school property. A. Right-of-way. Whenever any person is operating a motor vehicle within a public school parking lot, such person shall yield the right-of-way to any pedestrian.

B. Negligent or Reckless Operation. It is unlawful for any person to operate a motor vehicle within a public school parking lot in such a manner as to endanger the safety of his own person or property or the safety of another's person or property by the negligent or reckless operation of the vehicle.

C. It shall be unlawful to operate any motor vehicle or motor-driven cycle on any portion of school property except for driveways, parking lots and thoroughfares specifically designated for operation of these vehicles by school officials. (Ord. 4642, 1986; Ord. 3510 §1, 1975).

10.40.070 University of Wisconsin System grounds. Section 36.11 (8)(m) of the Wisconsin Statutes is adopted by reference as if set out fully herein. Resolutions duly passed by the Board of Regents, pursuant to the powers vested in it by Section No. 36.11 (8)(m) are adopted by reference as if set out fully herein. (Ord. 7039, 2012; Ord. 3313 §XXII(part), 1972; prior code §17.11(5)).

10.40.080 Transportation of tractors. The driving or transporting of tractors or heavy pieces of machinery with flanged or spike wheels or lugs along any public street or highway within the city is prohibited without a permit from the city council. (Prior code §17.11(f)).

10.40.090 Special and seasonal weight limitations. The traffic engineer shall have the authority to impose special or seasonal weight limits to prevent injury to the roadway of any highway, bridge or culvert within the jurisdiction of the city or for the safety of users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with Section 349.16, Wisconsin Statutes. (Ord. 3313 §XXIII(part), 1972; Prior code §17.13).

10.40.100 Accident reports. The operator of any vehicle involved in an accident shall within ten days after such accident file with the city police department a copy of the report required by Section 346.70, Wisconsin Statutes, if any. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident capable of making such report shall have the duty to comply with this section. Such reports shall be subject to the provisions and limitations in Sections 346.70 (4)(f) and 346.73, Wisconsin Statutes. (Ord. 3313 §XXIV, 1972; Prior code §17.15).

10.40.110 Enforcement. This title shall be enforced in accordance with the provisions of Section 345.20 to 345.53, Chapter 299 and Section 66.12, of the Wisconsin Statutes. (Ord. 3313 §XXVI(part), 1972; Prior code §17.17(part)).

10.40.120 Uniform citation. The uniform traffic citation promulgated under Section 345.11, Wisconsin Statutes, shall be used for all moving traffic violations under this title. (Ord. 3313 §XXVI(part), 1972; Prior code §17.17(1)).

10.40.130 Parking citations. Citations for all nonmoving traffic violations under this title shall conform to Section 345.28, Wisconsin Statutes, and shall permit direct mail payment of the applicable minimum forfeiture within ten days of the issuance of the citation in lieu of court appearance. The issuing officer shall specify thereon the amount of the applicable forfeiture as provided in this title. (Ord. 6535 §1, 2004; Ord. 3313 §XXVI(part), 1972; Prior code §17.17(2)).

10.40.135 Parking citations--Who may issue. In addition to police officers, the chief of police may designate civilian personnel to issue parking citations for violation of this code or applicable state statutes. (Ord. 5187, 1991).

10.40.140 Officers accepting bonds--Procedure. Every officer accepting a forfeited penalty or money deposit under this title shall receipt therefor in triplicate as provided in Section 345.26 (3)(b), Wisconsin Statutes. Every officer accepting a stipulation under the provisions of this title shall comply with the provisions of Sections 343.27, 343.28, 345.26 (1)(a) and 345.27 (2), Wisconsin Statutes, and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Section 345.11, Wisconsin Statutes. (Ord. 3313 §XXVI(part), 1972; Prior code §17.17(3)).

10.40.150 Officers accepting bonds--Delivery to treasurer. Any officer accepting deposits or forfeited penalties under this title shall deliver them to the city treasurer within twenty days after receipt. (Ord. 3313 §XXVI(part), 1972; Prior code §17.17(4)).

10.40.160 Regulation of off-road motor-driven cycles, all-terrain vehicles and snowmobiles.

A. All provisions of Chapter 23 of the Wisconsin Statutes are adopted by reference and made a part of this chapter as if fully set forth herein, including all existing and future amendments made thereto.

B. In this section, "all-terrain vehicle" means a motor vehicle designed primarily for use off the roadway and able to be operated upon land, snow or water, and usually equipped with flotation tires or tracks.

C. No person shall operate an off-road motor-driven cycle, all-terrain vehicle or snowmobile on the private property of another without written permission of the property owner, with that permission to be carried on the person of the operator.

D. No owner or other person having charge or control of an off-road motor-driven cycle, all-terrain vehicle or snowmobile shall knowingly authorize or permit any person to operate such vehicle who is incapable by reason of age or physical or mental disability, or is under the influence of intoxicating liquor, fermented malt beverages or controlled substances.

E. The operation of off-road motor-driven cycles, all-terrain vehicles or snowmobiles in public parks, airport lands, playgrounds, athletic fields, parking lots, city well fields, and other public lands in the city is prohibited, except in areas specifically designated for operation of those machines by the City of Eau Claire, the board of education or other appropriate governmental body. Such authorities may place reasonable conditions or restrictions on such operation.

F. No person shall operate an off-road motor-driven cycle, all-terrain vehicle or snowmobile in such manner that the exhaust of the motor makes an excessive or unusual noise.

G. No person shall operate an off-road motor-driven cycle, all-terrain vehicle or snowmobile within the city limits between the hours of 9:30 p.m. and 8:00 a.m.

H. Any person who violates any of the provisions of this section, shall upon conviction thereof, forfeit not less than \$25.00 nor more than \$500.00, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail for a term not to exceed 30 days, unless the fine and costs are sooner paid. (Ord. 4940, 1989; Ord. 4876 §2, 1989; Ord. 4655, 1986; Ord. 3651, 1976).

10.40.170 Exhibition driving. A. No driver of any vehicle shall cause, by excessive or unnecessary acceleration, the tires of such vehicle to spin and emit loud noises, or to unnecessarily throw stones, gravel or other material, nor shall any driver cause to be made by excessive and unnecessary acceleration any loud noise, such as would disturb the public peace, nor shall any driver otherwise operate a motor vehicle within the city limits of the city in a manner that would disturb the public peace or endanger the safety of other motorists, pedestrians, or property.

B. Any person who violates provisions of this section shall, upon conviction, forfeit not less than twenty-five dollars, nor more than two hundred dollars, together with the cost of prosecution, and in default of payment of such forfeiture and cost of prosecution, shall be imprisoned in the county jail for Eau Claire County until the forfeiture and costs are paid, but not to exceed thirty days. (Ord. 4220 §3, 1981).

10.40.180 Bus transfer station. The use of the 2 bus lanes serving the downtown bus transfer station located in the 400 block of S. Farwell Street shall be limited to publicly owned mass transit vehicles only during the hours of 5:30 a.m. and 10:30 p.m., Monday through Saturday, and no person shall park, stop or leave standing any other vehicle thereon during such hours. Any vehicle parked, stopped or left standing in violation of this section shall be subject to removal by towing in accordance with state law and city ordinances. (Ord. 6172, 2000; Ord. 4524, 1984).

Chapter 10.42

ABANDONED MOTOR VEHICLES

Sections:

- 10.42.010 State statutes adopted.**
- 10.42.020 Abandoned motor vehicle.**
- 10.42.030 Removal and storage.**
- 10.42.040 Sale of abandoned vehicles.**
- 10.42.050 Abandonment unlawful.**

10.42.010 State statutes adopted. Section 342.40 of the Wisconsin Statutes is adopted by reference and made a part of this chapter as if fully set forth herein. (Ord. 4534 §1, 1984).

10.42.020 Abandoned motor vehicle. Abandoned motor vehicle means any unattended motor vehicle, trailer, semi-trailer or mobile home that has been left or parked upon any public highway or public property for more than 48 hours, or left upon any private property without permission of the property owner for that period. A motor vehicle shall not be considered abandoned when it is out of ordinary public view, or when designated as not abandoned by the chief of police or his designee. (Ord. 4534 §1, 1984).

10.42.030 Removal and storage. Any police officer or other person designated by the chief of police who discovers an abandoned vehicle may cause that vehicle to be removed and stored at a suitable place of impoundment pursuant to the provisions of section 342.40 of the Statutes. (Ord. 5565, 1996; Ord. 4534 §1, 1984).

10.42.040 Sale of abandoned vehicles. The purchasing agent, under the powers provided in section 2.92.070 C.3 of the Code of Ordinances shall administer the sale of any abandoned vehicles which are disposed of under the provisions of section 342.40 (3) of the Wisconsin Statutes. (Ord. 4534 §1, 1984).

10.42.050 Abandonment unlawful. It is unlawful to abandon any motor vehicle, semi-trailer or mobile home upon any public highway or public property or without permission on any private property. (Ord. 4534 §1, 1984).

Chapter 10.44**PENALTIES FOR TRAFFIC VIOLATIONS****Sections:**

- 10.44.010 Penalty--Forfeiture.**
- 10.44.020 Forfeitures conformance.**
- 10.44.030 Special local regulations.**
- 10.44.050 Parking.**
- 10.44.055 Citation amount.**
- 10.44.060 Continued violations.**
- 10.44.070 Late payment penalty.**

10.44.010 Penalty--Forfeiture. The penalty for violation of any provision of this title shall be a forfeiture as hereinafter provided together with the cost of prosecution imposed as provided in Sections 345.20 to 345.53, Wisconsin Statutes. (Ord. 3313 §XIX(part), 1972; prior code §17.21 (part)).

10.44.020 Forfeitures conformance. Except as provided in Section 10.44.050 for nonmoving traffic offenses, forfeitures for violation of any provision of Chapters 341 to 348 adopted by reference in Section 10.04.020 shall conform to forfeitures for violation of the comparable state offense, including any variations or increases for second offenses. (Ord. 3313 §XIX(part), 1972; prior code §17.21(1)).

10.44.030 Special local regulations. A. The forfeiture for violation of Tables I through VI and Chapters 10.08, 10.09, 10.12, 10.16, 10.24, 10.30, 10.32, 10.36, 10.38, 10.40, 10.42, and 10.48 shall be not less than one dollar nor more than two hundred dollars for the first offense and not less than one dollar nor more than five hundred dollars for the second offense within two years.

B. The forfeiture for any violation of Chapter 10.20, except for Section 10.20.070, shall be \$10.00. The forfeiture for violation of Section 10.20.070 shall be \$15.00. (Ord. 6669, 2006; Ord. 6438 §4, 2003; Ord. 6273, 2002; Ord. 6237 §1, 2001; Ord. 5351 §1, 1993; Ord. 4534 §3, 1984; Ord. 4511, 1984; Ord. 4434 §2, 1984).

10.44.050 Parking. The forfeitures for offenses in Sections 341.65 and 346.50 to 346.55, Wisconsin Statutes, adopted by reference under Section 10.04.020 shall be:

- A. 346.505. Improper parking in spaces reserved for vehicles displaying special registration plates or special identification cards, 30 dollars to 300 dollars;
- B. 346.51(1). Improper parking on or off roadway, one dollar to two hundred dollars;
- C. 346.52(1). Stopping or standing in prohibited areas, one dollar to forty dollars; second conviction within one year one dollar to one hundred dollars;
- D. 346.52(2). Stopping or standing on highway by grade school, one dollar to forty dollars; second conviction within one year, one dollar to one hundred dollars;
- E. 346.53. Parking or standing where prohibited, one dollar to forty dollars; second conviction within one year, one dollar to one hundred dollars;
- F. 346.54. Improper parking or standing of vehicle, one dollar to forty dollars; second conviction within one year one dollar to one hundred dollars;
- G. 346.55(1). Parking on left side of highway, one dollar to two hundred dollars;
- H. 346.55(3) or (4). Parking on posted public or private property, not less than twenty dollars nor more than forty dollars; second or subsequent conviction within one year, not less than \$50 nor more than \$100;
- I. 341.65 Unregistered motor vehicles prohibited, one dollar to forty dollars; second conviction within one year, one dollar to one hundred dollars. (Ord. 7398 §3, 2020; Ord. 5351 §§2, 3, 1993; Ord. 4662, 1986; Ord. 4351 §4, 1983; Ord. 4246 §3, 1982; Ord. 4157 §§2,3, 1981; Ord. 4146 §2, 1981; Ord. 3376 §V, 1973; Ord. 3313 §XIX (part), 1972; prior code §17.10(4)).

10.44.055 Citation amount. The amount of forfeiture imposed by issuance of a citation for parking violations contained in Section 10.44.050 B., C., D., E., F., G., H and I. shall be \$30. (Ord. 7398 §4, 2020; Ord. 6684, 2006; Ord. 5351 §4, 1993).

10.44.060 Continued violations. In addition to the initial violation under Section 10.44.050, each period of time during which a vehicle remains in violation which is equal to and in excess of the established parking time limit hereunder shall constitute a separate violation of such provision. (Ord. 3313 §XIX(part), 1972; prior code §17.21(5)).

10.44.070 Late payment penalty. In addition to the forfeiture assessed for any offense enumerated under Section 10.44.030, an additional penalty of ten dollars shall be assessed if the same is not paid within ten days of the issuance of the parking ticket or citation for the violation. An additional penalty of ten dollars shall be assessed if the same is not paid within twenty days of such issuance. An additional penalty of ten dollars shall be assessed if the same is not paid within thirty days of such issuance and if a warrant is issued in connection with such offense. (Ord. 7300, 2018; Ord. 6535, 2004; Ord. 4146 §3, 1981).

Chapter 10.48

TRUCK TRAFFIC REGULATIONS

Sections:

10.48.010 Definitions.

10.48.020 Thru truck traffic limited.

10.48.030 Rights of ingress and egress preserved.

10.48.040 Exemption from restrictions.

10.48.050 Penalty for violation.

10.48.010 Definitions. A. "Heavy traffic," for the purpose of this chapter, is defined as all vehicles not operating completely on pneumatic tires, and all vehicles or combination vehicles, other than motor buses, designed for transporting property of any nature having a gross weight of more than 15,000 pounds.

B. "Thru truck," as regulated herein, is defined as a heavy traffic vehicle driven or used for the transporting of goods, materials, or property of any nature on a street, road, or highway within the corporate limits of the city of Eau Claire that does not have a point of origin or a point of destination on the street on which the vehicle is traveling.

C. A heavy traffic vehicle with a point of origin or point of destination in which the sole access is by way of a street on which "NO THRU TRUCKS" signage has been posted in accordance with this chapter is not considered a "thru truck" for the purpose of enforcement. (Ord. 6272, 2002).

10.48.020 Thru truck traffic limited. A. No person shall operate a thru truck, as defined herein, on any street, road, or highway within the corporate limits of the city of Eau Claire that has been posted with the appropriate "NO THRU TRUCKS" signage.

B. The "NO THRU TRUCKS" signage shall be installed and the prohibition enforced only after adoption of an ordinance by the city council designating the section of street, road, or highway on which heavy traffic vehicles are prohibited.

C. The following streets shall be designated "NO THRU TRUCKS" and the director of engineering or the director of community services or their designee is authorized and directed to cause the appropriate signs to be erected giving notice thereof:

1. Carson Park Drive, from Menomonie Street to W. Grand Avenue;
2. Lake Street, from W. Grand Avenue to Fifth Avenue;
3. Ferry Street, from Short Street to Menomonie Street. (Ord. 7202, 2016; Ord. 6272, 2002).

10.48.030 Rights of ingress and egress preserved. A. Nothing in this chapter shall deny the owner of any land abutting any street, road, or highway the right of ingress and egress thereto, and the right to use the main thoroughfare leading to the street, road, or highway such property abuts. (Ord. 6272, 2002).

10.48.040 Exemption from restrictions. A. The restrictions imposed by this chapter shall not apply to heavy traffic vehicles owned and operated by a municipal body or by an agent of the municipality which are used for the purpose of roadway maintenance, including, but not limited to, snow and ice control or street repair and construction.

B. The restrictions imposed by this chapter shall not prohibit heavy traffic from using routed state trunk highways or from using any street, road, or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street, road, or highway.

C. The restrictions imposed by this chapter shall not apply to emergency response vehicles. (Ord. 6272, 2002).

10.48.050 Penalty for violation. Any person who violates any provision of this chapter shall be subject to a forfeiture as provided in s. 10.44.030 A. (Ord. 6272, 2002).